

LATHAM & WATKINS LLP
Melanie M. Blunschi (CA Bar No. 234264)
melanie.blunschi@lw.com
Nicholas R. Rosellini (CA Bar. No. 316080)
nick.rosellini@lw.com
Elizabeth J. Cheng (CA Bar No. 342131)
liz.cheng@lw.com
505 Montgomery Street, Suite 2000
San Francisco, California 94111-6538
Telephone: +1.415.391.0600
Facsimile: +1.415.395.8095

*Attorneys for Defendants Live Nation
Entertainment, Inc., Michael Rapino and
Joe Berchtold*

[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION**

BRIAN DONLEY, Individually and
on Behalf of All Others Similarly
Situating,

Plaintiffs,

v.

LIVE NATION ENTERTAINMENT,
INC., MICHAEL RAPINO, and JOE
BERCHTOLD,

Defendants.

Case No. 2:23-cv-06343-KK (ASx)

**FIRST STIPULATION
CONTINUING TIME FOR
DEFENDANTS TO ANSWER
AMENDED COMPLAINT**

Hon. Kenly Kiya Kato

1 Plaintiffs Brian Donley and Gene Gress (“Plaintiffs”) and Defendants Live
 2 Nation Entertainment, Inc., Michael Rapino, and Joe Berchtold (“Defendants”), by
 3 and through their undersigned counsel, hereby stipulate and agree as follows, and
 4 jointly request that the Court enter an Order approving this Stipulation:

5 **WHEREAS**, on February 23, 2024, the Court denied Defendants’ Motion to
 6 Dismiss the Amended Class Action Complaint (“Amended Complaint”), Dkt. 52;

7 **WHEREAS**, the Parties received notice of the Court’s action on February,
 8 26, 2024, *id.*;

9 **WHEREAS**, pursuant to Fed. R. Civ. P. 12(a)(4)(A), Defendants’ Answer to
 10 the Amended Complaint is currently due on March 11, 2024;

11 **WHEREAS**, in light of the complexity of the Amended Complaint, as well
 12 as pre-existing deadlines in other matters and travel obligations for Defendants’
 13 counsel, the Parties met and conferred and agreed that good cause exists for a modest
 14 extension to Defendants’ time to answer the Amended Complaint;

15 **WHEREAS**, this Stipulation is without prejudice to, or waiver of, any rights,
 16 arguments, or defenses otherwise available to the Parties;

17 **WHEREAS**, this is the first request for an extension of time to answer the
 18 Amended Complaint;

19 IT IS HEREBY STIPULATED AND AGREED THAT:
 20 Defendants’ Answer to the Amended Complaint will be due by March 27, 2024.

21
 22
 23 Dated: February 28, 2024

Respectfully Submitted,

LATHAM & WATKINS LLP

24 By /s/ Melanie M. Blunschi
 25 Melanie M. Blunschi (Bar No. 234264)
 26 *melanie.blunschi@lw.com*
 27 505 Montgomery Street, Suite 2000
 28 San Francisco, California 94111
 Telephone: +1.415.391.0600
 Facsimile: +1.415.395.8095

Attorneys for Defendants Live Nation

*Entertainment, Inc., Michael Rapino
and Joe Berchtold*

Dated: February 28, 2024

GLANCY PRONGAY & MURRAY LLP

By /s/ Ex Kano S. Sams II

Robert V. Prongay (SBN 270796)
rprongay@glancylaw.com
Ex Kano S. Sams II (SBN 192936)
esams@glancylaw.com
Charles Linehan (SBN 307439)
clinehan@glancylaw.com
Pavithra Rajesh (SBN 323055)
prajesh@glancylaw.com
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160

THE ROSEN LAW FIRM, P.A.

Laurence M. Rosen (SBN 219683)
355 South Grand Avenue, Suite 2450
Los Angeles, CA 90071
Telephone: (213) 785-2610
Facsimile: (213) 226-4684
Email: lrosen@rosenlegal.com
Phillip Kim (*pro hac vice* forthcoming)
Joshua Baker (*pro hac vice*)
101 Greenwood Avenue, Suite 440
Jenkintown, PA 19046
Telephone: (215) 600-2817
Facsimile: (212) 202-3827
Email: pkim@rosenlegal.com
Email: jbaker@rosenlegal.com

*Attorneys for Lead Plaintiffs Brian
Donley and Gene Gress and the
Proposed Class*

ATTESTATION

I hereby attest pursuant to L.R. 5-4.3.4(a)(2)(i) that all other signatories listed above, and on whose behalf the filing is submitted, concur in the content of this filing and have authorized this filing.

Dated: February 28, 2024

/s/ Melanie M. Blunski

Melanie M. Blunski